

## Message Text

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PAGE 01 BRASIL 10376 201501Z

ACTION SCS-06

INFO OCT-01 ARA-10 ISO-00 CA-01 L-03 H-01 FBIE-00

HA-05 NSC-05 /032 W

-----106491 201517Z /45

R 201415Z DEC 77

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 5258

INFO AMCONSUL BELEM

LIMITED OFFICIAL USE BRASILIA 10376

E.O. 11652: N/A

TAGS: SHUM, PGOV, CASC, BR

SUBJ: NOTES ON ARRESTS OF US CITIZENS

REF (A) BRASILIA 9966 (B) BRASILIA 10297

FOLLOWING IS TEXT OF EMBASSY'S NOTE TO FOREIGN MINISTRY CONCERNING  
ARREST OF AMCITN WILLIAMS, AND MAXEY DELIVERED DECEMBER 2,  
1977 (REFTELS)

1. "THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS  
COMPLIMENTS TO THE MINISTRY OF EXTERNAL RELATIONS OF THE FEDERATIVE  
REPUBLIC OF BRAZIL AND HAS THE HONOR TO REFER TO THE ARREST  
ON SEPTEMBER 22, 1977, IN PORTO VELHO, RONDONIA, OF CHARLES  
EUGENE ROSS, WILLIAM FRANK WILLIAMS, AND WILLIAM MAXEY, ALL  
CITIZENS OF THE UNITED STATES. MR. ROSS, MR. WILLIAMS, AND MR.  
MAXEY WERE HELD UNDER DETENTION FOR EIGHT DAYS BEFORE UNITED  
STATES CONSULAR AUTHORITIES WERE ABLE TO DETERMINE THAT THE  
THREE HAD BEEN ARRESTED AND WERE IN THE CUSTODY OF FEDERAL  
AUTHORITIES.

2. MR. ROSS, MR. WILLIAMS, AND MR. MAXEY HAVE STATED THAT THEY  
MADE REPEATED REQUESTS DURING THOSE EIGHT DAYS TO SPEAK  
WITH A UNITED STATES CONSULAR OFFICER AND THAT THE UNITED STATES  
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PAGE 02 BRASIL 10376 201501Z

EMBASSY IN BRASILIA BE NOTIFIED OF THEIR ARREST. THEY HAVE ALSO  
STATED THAT THE FEDERAL POLICE AUTHORITIES IN PORTO VELHO TOLD  
THEM THAT THE MATTER OF ACCESS AND NOTIFICATION WOULD HAVE TO  
BE APPROVED BY HIGHER AUTHORITIES IN BRASILIA, TO WHOM THE REQUESTS  
WERE REFERRED. FEDERAL POLICE AUTHORITIES IN PORTO VELHO REPEATED  
THIS TO THE UNITED STATES CONSUL IN BELEM ON OCTOBER 2, TELLING  
HIM THAT IN THE ABSENCE OF SUCH AUTHORIZATION FROM BRASILIA --

WHICH WAS NEVER RECEIVED -- LOCAL OFFICIALS  
COULD NOT HONOR THE PRISONERS' REQUEST TO NOTIFY UNITED STATES  
CONSULAR AUTHORITIES OF THEIR ARREST.

3. THE UNITED STATES EMBASSY IN BRASILIA FIRST LEARNED ON  
SEPTEMBER 29 THAT THREE UNITED STATES CITIZENS MIGHT HAVE BEEN ARREST-  
ED  
IN PORTO VELHO. UPON RECEIVING THIS INFORMATION, AN EMBASSY OFFICER  
CONTACTED THE DEPARTMENT OF FEDERAL POLICE HEADQUARTERS IN BRASILIA  
TO DETERMINE OF UNITED STATES CITIZENS HAD IN FACT BEEN DETAINED.  
FEDERAL POLICE AUTHORITIES IN BRASILIA DENIED KNOWLEDGE OF ANY  
SUCH ARRESTS, CONTRARY TO THE STATEMENTS OF FEDERAL POLICE  
AUTHORITIES IN PORTO VELHO.

4. THE EMBASSY NOTES WITH CONCERN THAT, FOR EIGHT DAYS FOLLOWING  
THIS ARREST, THREE UNITES STATES CITIZENS WERE NOT GIVEN NOTICE  
WITHOUT DELAY OF THEIR RIGHTS UNDER ARTICLE 36(1)(B) OF THE  
VIENNA CONSULAR CONVENTION OF 1963, AND THAT THEIR REPEATED  
REQUESTS THAT UNITED STATES OFFICIALS BE NOTIFIED OF THEIR  
CIRCUMSTANCES WERE REFUSED. THESE ACTIONS FRUSTRATED THE RIGHTS  
OF CONSULAR ACCESS AND NOTIFICATION OF BOTH UNITED STATES  
OFFICIALS AND THREE UNITED STATES CITIZENS, IN VIOLATION OF  
ARTICLE 36 OF THE VIENNA CONSULAR CONVENTION.

5. THE EMBASSY REQUESTS THAT THE APPROPRIATE BRAZILIAN  
AUTHORITIES INVESTIGATE THIS CASE EXPEDITIOUSLY. THE EMBASSY WOULD  
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PAGE 03     BRASIL 10376 201501Z

APPRECIATE BEING INFORMED OF THE RESULTS OF THIS INVESTIGATION  
AND OF WHAT STEPS MIGHT BE TAKEN TO PREVENT A RECURRENCE  
OF THIS SITUATION ANYWHERE IN BRAZIL.

6. THE EMBASSY OF THE UNITED STATES OF AMERICA TAKES THIS  
OPPORTUNITY TO RENEW TO THE MINISTRY OF EXTERNAL RELATIONS THE  
ASSURANCES OF ITS HIGHEST CONSIDERATION."  
JOHNSON

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Original Handling Restrictions:** n/a  
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**Reference:** 77 BRASILIA 9966, 77 BRASILIA 10297  
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**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
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